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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/713,301 | 11/17/2003 | Setsu Mitsubishi | 117789 | 1100 |
| 25944 7590 11/26/2008 OLIFF & BERRIDGE, PLC P.O. BOX 320850 ALEXANDRIA, VA 22320-4850 | | | | |
| EXAMINER | | | | |
| VIG, NARESH | | | | |
| ART UNIT | | PAPER NUMBER | | |
| 3629 | | | | |
| MAIL DATE | | DELIVERY MODE | | |
| 11/26/2008 | | PAPER | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/713,301

Applicant(s)

MITSUHASHI ET AL.

Examiner

NARESH VIG

Art Unit

3629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 October 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 and 14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-854/IC)
Paper No(s)/Mail Date See Continuation Sheet
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Continuation of Attachment(s) 3).

Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :20040809; 20060808; 20061227; 20070103; 20070302; 20070806; 20071003; 20080124.

DETAILED ACTION

Election/Restrictions

Applicant's election with traverse of claims 1 – 5 and 14 in the reply filed on 24 October 2008 is acknowledged. The traversal is on the ground(s) that search and examination of the entire application could be made without serious burden. This is not found persuasive because applicant has not provided any persuasive examples or arguments as to why the search for entire application could be made without serious burden. For example, Invention I is directed to electronic bulletin board which authenticates a requester (third party) before said requester is permitted to browse the image, whereas, Invention II is directed to electronic bulletin board which has the capability for providing access to the requester without authentication, and, saves the image for the electronic bulletin board, even when the image stored onto the area provided for the electronic album service is erased which clearly show that Invention I and Invention II require different utility.

The requirement is still deemed proper and is therefore made FINAL.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1 – 5 and 14 are rejected under 35 U.S.C. 112, second paragraph, as being vague indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant claims the invention:

a method for providing an electric bulletin board that works with an electric album service providing a storage area of an image to a user and that enables to carry the image. As currently claimed, it is not clear who or what is enabled to carry the image, does the electronic bulletin board provides the storage area, or, electronic album service provides the storage area. Also, bulletin board is never provided to the user.

In claim1, applicant claims limitation a step to store and carry remarks and so sent respectively by a plurality of users. Are the remarks from plurality of user for any image, or, provider of the image provide remark for their image, or, plurality of users can provide remarks for any one of the image, and said remarks from plurality of users for a specific image is associated with that image.

As claimed in claim 2, wherein a link portion to enter a browsing command is provided on a display screen of the electric bulletin board and the is accessed through the display screen of the electric bulletin board when the link portion is clicked on. As currently claimed, it is not clear whether the link is a hot link, or a user enters a browsing command in the link portion, and, after entering the browsing command, clicks on the browsing command to access the image

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 – 5 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson et al US Patent 6,999,637 in view of Morris et al. US Patent 6,097,389 and Wolff et al. US Patent 6,833,848,

Regarding claim 1, as best understood by examiner, Anderson teaches concept for providing an electric bulletin board that works with an electric album service providing a storage area of an image to a user and that enables to carry the image [Anderson Fig. 1 and disclosure associated with the figure].

Anderson does not teach to store and carry remarks. However, Morris teaches concept of remarks (comments) [Morris, Fig. 8A and disclosure associated with the figure].

Therefore, at the time of invention, it would have been obvious to one of ordinary skill in the art to modify Anderson by adopting teachings of Morris to provide image related information to users, client etc., apply a known technique to a known device or method ready for improvement to yield predictable result.

Anderson in view of Morris teaches capability to store and carry remarks and so sent respectively by a plurality of users;

Anderson in view of Morris does not explicitly recite judge whether or not the image is permitted to be browsed by a third party when a browsing of the image provided for the electric album service is demanded (i.e. authenticate the user prior to giving access to the image). However, Wolff teaches concept to authenticate the user before providing access to the stored information [Wolff, col. 10, lines 20 - 24].

Therefore, at the time of invention, it would have been obvious to one of ordinary skill in the art to modify Anderson in view of Morris by adopting teachings of Wolff and authenticate the user before providing access to the stored content to prevent unauthorized viewing of personal images, apply a known technique to a known device or method ready for improvement to yield predictable result,

Anderson in view of Morris and Wolf teaches concept to:

judge whether or not the image is permitted to be browsed by a third party when a browsing of the image provided for the electric album service is demanded;

permit to browse the image in the bulletin board when the image is permitted to be browsed by the third party; and

ban to browse the image in the bulletin board when the image is not permitted to be browsed by the third party.

Regarding claim 2, Anderson in view of Morris and Wolff teaches capability wherein a link portion to enter a browsing command is provided on a display screen of

the electric bulletin board and the image stored onto a memory area provided for the electric album service is accessed through the display screen of the electric bulletin board when the link portion is clicked on.

Regarding claim 3, Anderson in view of Morris and Wolff teaches capability wherein the image is read out from the memory area provided for the electric album service and is carried in the bulletin board when the image is permitted to be browsed by the third party.

Regarding claim 4, Anderson in view of Morris and Wolff teaches capability wherein a contracted image of the image stored onto the memory area provided for the electric album service is displayed in the bulletin board [Wolff, Fig. 6 and disclosure associated with the Figure].

Regarding claim 5, Anderson in view of Morris and Wolff teaches capability wherein the link portion to display an original image of the contracted image in the bulletin board is provided on the display screen when the contracted image is displayed on the display screen of the electric bulletin board and the original image is read out from the memory area provide for the electric album service and displayed in the bulletin board when the link portion is clicked on [Wolff, Fig. 6 and disclosure associated with the Figure].

Regarding claim 14, The Anderson in view of Morris and Wolff teaches capability wherein according to an erase order from a user, image data stored onto an area provided for the electric album service is erased (**it would have been obvious to one of ordinary skill in the art that when a owner of the information wants to remove the information stored on a storage device, said information is erased from the storage medium**).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 CFR '1.111 (c) to consider the references fully when responding to this office action.

1. Allport US Patent 6,104,334
2. Yang et al. US Patent 6,301,586
3. Watanabe et al. US Patent 6,578,072

Any inquiry concerning this communication or earlier communications from the examiner should be directed to NARESH VIG whose telephone number is (571)272-6810. The examiner can normally be reached on Mon-Thu 7:00 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

November 23, 2008

/Naresh Vig/
Primary Examiner, Art Unit 3629